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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/749,536	
	Filing Date	12/30/2003	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00035.08CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Info. Discl. Statemetn (2 pp.) Form 1449 (3 copies, 8 pages each) Copy of <u>references</u> 168 Return Postcard	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
Signature		
Date	SEP. 24 2004	

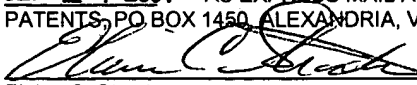
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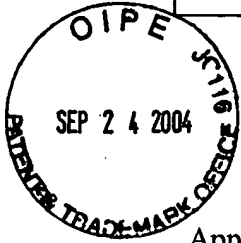
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Elaine C. Stracker



PATENT  
Attorney's Docket No.: 00035.08CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/749,536  
Filed: 12/30/2003  
Title DELIVERY OF ANTIHISTAMINES THROUGH AN INHALATION  
ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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INFORMATION DISCLOSURE STATEMENT

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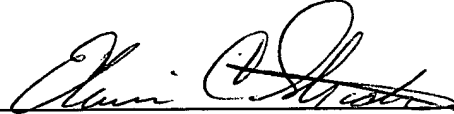
In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 502731. Please direct all correspondence to the following customer number.

Respectfully submitted,

Date: SEP. 24 2004

  
Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number: 00035.08 CON		Application Number: 10/749,536
	Applicant: Joshua D. RABINOWITZ et al.		
	Filing Date: 12/30/2003	Group Art Unit: Not Yet Known	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	01/23/1990	4,895,719	Radhakrishnun et al.			
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	5.	03/31/1992	5,099,861	Clearman et al.			
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Docket Number: 00035.08 CON

Application Number: 10/749,536

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known

	26.	07/03/2001	6,255,334	Sands			
	27.	01/14/2003	6,506,762	Horvath et al.			
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	34.	08/22/2002	US 2002/0112723	Schuster et al.			
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## RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

	38.	08/04/2003	10/633,876	Hale et al.			
	39.	08/04/2003	10/633,877	Hale et al.			
	40.	12/30/2003	10/749,537	Rabinowitz et al.			
	41.	12/30/2003	10/749,539	Rabinowitz et al.			
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	52.	01/29/2004	10/768,293	Rabinowitz et al.			

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	81.	01/09/2003	US 2003/0007934	Rabinowitz et al.			
	82.	01/16/2003	US 2003/0012737	Rabinowitz et al.			

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	83.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
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Group Art Unit: Not Yet Known

	113.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	114.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	115.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	116.	03/14/1990	EP 0 358 114	Europe			
	117.	07/03/2001	EP 1 080 720	Europe			
	118.	08/29/2001	EP 0 606 486	Europe			
	119.	04/16/1992	WO 92/05781	WIPO			
	120.	04/11/1996	WO 96/09846	WIPO			
	121.	05/09/1996	WO 96/13161	WIPO			
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	123.	05/09/1996	WO 96/13291	WIPO			
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	125.	10/03/1996	WO 96/30068	WIPO			
	126.	08/07/1997	WO 97/27804	WIPO			
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	128.	07/23/1998	WO 98/31346	WIPO			
	129.	08/27/1998	WO 98/36651	WIPO			
	130.	04/08/1999	WO 99/16419	WIPO			
	131.	12/16/1999	WO 99/64094	WIPO			
	132.	01/06/2000	WO 00/00176	WIPO			
	133.	01/06/2000	WO 00/00215	WIPO			
	134.	05/18/2000	WO 00/27363	WIPO			
	135.	05/25/2000	WO 00/29053	WIPO			

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	136.	09/17/2000	WO 00/47203	WIPO			
	137.	11/02/2000	WO 00/64940	WIPO			
	138.	11/09/2000	WO 00/66084	WIPO			
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	140.	12/21/2000	WO 00/76673	WIPO			
	141.	01/25/2001	WO 01/05459	WIPO			
	142.	03/15/2001	WO 01/17568	WIPO			
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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	144.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
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	147.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
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	149.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	150.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 12/30/2003	Group Art Unit: Not Yet Known

152.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i> . 36(1):1-7.
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161.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002. "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
162.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
163.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
164.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.
165.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.
166.	Vapotronics, Inc. (1998) located at <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a> , 11 pages, (visited on June 5, 2000).
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IN AN APPLICATION*(Use several sheets if necessary)*

Docket Number: 00035.08 CON

Application Number: 10/749,536

Applicant: Joshua D. RABINOWITZ et al.

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168.

Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." *Pharmacology Biochemistry & Behavior*. 55(2):237-248.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.